



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

Error to Law and Equity Court of City of Richmond.

Action by the Bunting-McNeal Real Estate Company against Mrs. Charles I. McKee. Judgment for plaintiff, and defendant brings error. Judgment affirmed.

COOK *v.* COMMONWEALTH.

March 20, 1913.

[77 S. E. 608.]

1. **Grand Jury (§ 5*)—Qualifications—Supervisor.**—A member of a grand jury was not disqualified because he was also a member of the county board of supervisors, and as such had supervision over the roads; he not being an "overseer of a road" within Code 1904, § 3977, making such officers ineligible as grand jurors.

[Ed. Note.—For other cases, see Grand Jury, Cent. Dig. §§ 8-13, 15; Dec. Dig. § 5.* 6 Va.-W. Va. Enc. Dig. 744.]

2. **Homicide (§ 253*)—Evidence—Sufficiency.**—Evidence held insufficient to sustain a conviction of murder in the first degree.

[Ed. Note.—For other cases, see Homicide, Cent. Dig. §§ 523-532; Dec. Dig. § 253.* 7 Va.-W. Va. Enc. Dig. 147.]

Error to Circuit Court, York County.

Hezekiah Cook was convicted of murder in the first degree, and he brings error. Reversed.

Frank Armistead and *T. H. Geddy*, both of Williamsburg, for plaintiff in error.

The Attorney General, for the Commonwealth.

SHIFLETT *v.* COMMONWEALTH.

March 20, 1913.

[77 S. E. 608.]

Indictment and Information (§ 114*)—Allegations—Second Offense—Necessity of Alleging.—While the indictment need not allege that the offense charged is accused's first offense, yet, in order to impose a severer punishment on the ground that the offense charged is the second or subsequent offense, the indictment must allege that fact.

[Ed. Note.—For other cases, see Indictment and Information, Cent. Dig. §§ 301-307; Dec. Dig. § 114.* 7 Va.-W. Va. Enc. Dig. 405.]

Error to Circuit Court, Greene County.

Marcus Shiflett was convicted of illegally selling intoxicants a license, and he brings error. Reversed.

John S. Chapman, of Standardville, for plaintiff in error.

The Attorney General, for the Commonwealth.

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.